

# **MINUTES OF A REGULAR MEETING OF THE RESOURCE CONSERVATION COMMISSION**

**August 2, 2004**

Ken Lee Building Conference Room  
430 "F" Street

**MEETING CALLED TO ORDER** by Chair Teresa Thomas at 6:02 p.m.

## **ROLL CALL/MOTION TO EXCUSE**

**MSC** (Reid/Jasek) to excuse Commissioners Juan Diaz and Tracy Means. **Vote:** (4-0-0-1) with Bensoussan absent.

**MEMBERS PRESENT:** Chair Teresa Thomas, Vice-Chair Doug Reid, Commissioners Stanley Jasek, John Chávez and Pamela Bensoussan (6:15 p.m.)

**STAFF PRESENT:** Marilyn Pongeggi, Environmental Review Coordinator  
Paul Hellman, Environmental Projects Manager  
Benjamin Guerrero, Environmental Projects Manager  
Maria Muett, Associate Planner  
Linda Bond, Recording Secretary

**APPROVAL OF MINUTES:** April 19 and July 19, 2004

The April 19 and July 19, 2004 minutes were continued to the next meeting as the appropriate Commissioners were not present.

**ORAL COMMUNICATIONS:** None.

## **OLD BUSINESS**

### **1. Election of Officers**

**MSC** (Jasek/Chávez) to nominate Doug Reid as Chair. **Vote:** (4-0-0-3) with Diaz, Means and Bensoussan absent.

**MSC** (Thomas/Jasek) to nominate John Chávez as Vice-Chair. **Vote:** (4-0-0-3) with Diaz, Means and Bensoussan absent.

Ms. Marilyn Pongeggi (*Environmental Review Coordinator*) asked if Chair Thomas if she still wanted to present the awards at the Beautification Awards or did she want to pass that on to Vice-Chair Reid. Chair Thomas stated that she was looking forward to doing the awards since it was Michael Meacham and Commissioner Bensoussan.

## NEW BUSINESS

### 2. IS-00-50 – Allen Gas & Truck Stop, 3205 Main Street

Mr. Benjamin Guerrero (*Environmental Projects Manager*) reported that the project consists of the expansion and refurbishment of an existing automobile service station and convenience store. The proposal consists of the construction of 1,967 square feet of additional convenience store area, five new vehicle-fueling dispensers, three diesel fueling dispensers and canopies to cover the new dispensers. The exterior of the existing structure will be refurbished to make it more aesthetically pleasing. Two additional roll-up doors will be placed on the existing service garage bays. The project will provide adequate automobile parking spaces along with truck spaces. The applicant proposes to provide four additional driveway approaches and refurbish the rest of the driveway approaches. New raised medians will be provided with landscape features along Beyer Way and Main Street.

Mr. Guerrero reported that in 1994 there were a total of four underground storage tanks. Three of the underground tanks were used to store fuel and one was a recipient for waste oil. There was no release of fuel into the soil from the three underground fuel tanks; however, based on soil sampling, leakages from the waste tank were detected. After soil remediation efforts and reviewing several soil and water data for the last nine years, the County of San Diego Department of Environmental Health determined that any residual contamination at the site does not pose a risk or an impact to sensitive receptors in the vicinity. On May 7, 2004, the County issued a “No Further Action” letter. The only mitigations required are related to the construction phase of the development.

#### Commission Comments

Vice-Chair Reid had one concern because this is an entry road in proximity to the Otay Valley Regional Park. The reduction of landscaping and aesthetics along that road is detrimental. Mr. Guerrero indicated that the applicant would be providing new landscaping along Beyer Way and Main Street and all around the property.

Chair Thomas commented that on a number of occasions that 18-wheeler trucks were stopped in the middle of the roads while workers coming from nearby businesses conducted business while the trucks are stopped on the road. If that kind of activity is not covered by an ordinance, it should be part of the mitigation that they cannot just idle in the middle of the roadway. Mr. Guerrero stated that the traffic report analyzed on-site circulation. Two 18-wheeler parking spaces have been provided on-site. City Engineering reviewed the traffic report with all its provisions and determined it to be adequate. Mr. Guerrero indicated that parking in the middle of the street is a traffic enforcement issue. Vice-Chair Reid concurred with this comment.

Vice-Chair Reid asked about the amount of grading. Mr. Guerrero responded that it would be relatively minor.

Chair Thomas was concerned about water contamination. Mr. Guerrero indicated that staff received comments from the Sweetwater Authority, and that their concerns were adequately responded to in the MND. After the testing was done and reviewed by the County Department of Environmental Health and the Regional Water Quality Control Board, there were no detectables in the soils or water resources.

Commissioner Bensoussan arrived at 6:15 p.m.

**MSC** (Reid/Jasek) to determine that the Initial Study is adequate and the Mitigated Negative Declaration be adopted. **Vote:** (5-0-0-2) with Diaz and Means absent.

### **3. IS-04-005 – Frank & Son Paving, NW corner of Faivre Street and 27<sup>th</sup> Street**

Ms. Maria Muett (*Associate Planner*) reported that this project site is 2.2 acres that consists of two parcels. It is in the redevelopment area. The project site contains slabs of concrete paving, one open structure, one above ground containment area and one below-ground containment area. The property is surrounded by industrial uses as well as vacant properties. This application is for a temporary, two-year operation of an overnight truck and paving equipment storage facility with a 500 square foot temporary office. The improvements will include paved parking, landscaped perimeters, boundary fencing and gating and two 30-foot driveways off of Faivre Street. Since the proposed use is temporary, the installation of street improvements along Faivre Street and 27<sup>th</sup> Street is not required at this time by Engineering. The applicant indicated that there would be no vehicle washing or vehicle maintenance or tire repair work done on this site. The temporary use requires the approval of a special use permit by the Zoning Administrator and a lot consolidation approval by the City Engineer. Staff received no verbal or written comments during the notice of Initial Study review. In order to assess the potential on-site hazards, staff requested Phase I and Phase II Environmental Site Assessments. Based on the findings of the Phase II Assessment, there was no further action necessary to assess or mitigate the soil of the project site.

#### Commission Comments

Commissioner Chávez noticed a pit on-site and asked what it was used for. Mr. Paul Hellman (*Environmental Projects Manager*) stated that the applicant does not know exactly what it was used for. There may have been some vehicle maintenance that was done just because of the light staining found around that area.

Mr. Hellman asked how long the site had been unoccupied? Ms. Muett stated that there are no recent business licenses, and staff can go back before the 70s.

Mr. Hellman asked if there was any grading anticipated to occur? Ms. Muett stated that there would not be much. Just putting in an office trailer.

Commissioner Chávez asked if any combustion devices would be used at the site? Ms. Muett responded in the negative. This will only be used for storage.

**MSC** (Reid/Jasek) that the RCC determine the Initial Study is adequate and the Negative Declaration be adopted. **Vote:** (5-0-0-2) with Diaz and Means absent.

### **ENVIRONMENTAL REVIEW COORDINATOR COMMENTS**

Ms. Pongeggi informed the Commissioners that the Espanada Project EIR (the high-rise condo project on Fourth and “H”) is going out for public review. The Commissioners would be receiving it on a CD ROM, and it will have the EIR and the Appendices on it. Since Espanada is a smaller

EIR, staff thought it would be a good one to launch this with. If any of the Commissioners would like it in hard copy, staff would make it available.

Chair Thomas and Vice-Chair Reid requested a hard copy of just the EIR. Commissioner Bensoussan reserved the right to request a hard copy after seeing the CD ROM.

Chair Thomas stated that, since it is available on CD ROM, she would like to recommend that it be put on-line. Ms. Pongeggi indicated that staff is working on doing that.

Commissioner Bensoussan noticed on the City's website that it has City Council minutes going back to the 20s or 40s. But the minutes and agendas for the RCC are very behind. Ms. Pongeggi stated that staff would check on that and place the RCC agendas and minutes on-line as soon as possible.

Mr. Pongeggi reminded the Commissioners that the Beautification Awards are August 19<sup>th</sup>. Commissioner Bensoussan asked if she could bring a guest. Her invitation said she had to pay \$31. Mr. Pongeggi asked Ms. Linda Bond (*Recording Secretary*) to contact the Mayor's office and find out.

**CHAIR COMMENTS:** Chair Thomas pointed out that the General Plan Update Steering Committee meetings, as well as the process, are coming to a major head. The next Steering Committee meeting is on August 9<sup>th</sup> at 6:00. She encouraged the Commissioners to participate in the next couple of meetings of the Steering Committee as well as all of the meetings of the Environmental Subcommittee. The EIR for the GPU will be coming through this Commission this year and part of next year. That is going to be one of the major accomplishments of the process.

#### **COMMISSIONER COMMENTS**

Commissioner Bensoussan asked about the historic designations and Mills Act applicants. Ms. Pongeggi indicated that they would be on the September 20, 2004 RCC agenda. She did check with the Attorney's office, and Commissioner Bensoussan would have to recuse herself if she lived within 500 feet.

Commissioner Jasek asked if anybody was as disappointed as he was over what ended up being created at the south/east corner of Broadway of "E". Commissioner Bensoussan responded in the affirmative.

Commissioner Jasek stated that the package that came through the RCC and the comments that were made in no way reflect what was built on that corner. Commissioner Bensoussan agreed.

Commissioner Jasek stated that the signage on the "Check Cashing" facility is garish and outlandishly ugly.

Commissioner Bensoussan noted that the architecture was ugly. The applicant said it was not going to be a fast food; it was going to be a real restaurant. She stated that the main point the RCC made was that it was an important gateway. She remembered asking the architect directly: "This is an important gateway to the City. Is the building going to really communicate that?" She has had conversations with a member of the Design Review Committee where she has mentioned how sometimes the RCC makes secondary ~~puts a tag along~~ recommendations for the Design Review Committee and other decision makers ~~in some of the RCC motions~~, and she

indicated that she has never seen any of ~~these~~ the RCC's comments ~~from the RCC~~ on any of the projects that they ~~get~~ review. Ms. Pongseggi stated that that was unfortunate. These recommendations are ~~It is~~ in the minutes and staff passes it them along to the project Planners who are. ~~It is supposed to include them in go into the agenda statement~~ staff reports. She would speak with them tomorrow and let them know that the RCC is disappointed that, on occasion, ~~these~~ such recommendations have not ~~gone in~~ been included in staff reports.

Commissioner Bensoussan noted that it is not that common where the RCC goes out of its way to make a comment to the Design Review. On those rare occasions when they do, one of them could be notified when the meeting is going to take place and they could attend.

Vice-Chair Reid recalled that 20 years or so ago there was a member of the RCC that attended the Planning Commission meetings and presented the recommendations from the RCC. Commissioner Bensoussan thought that was an excellent idea.

Ms. Pongseggi suggested that, if the RCC wants their comments to be treated as the comments of the RCC as a whole, then the RCC needs to take action that they are designating whichever one of them to go speak at whatever meeting on their behalf. And then when that person stands up, they can stand up and say, I am here on behalf of the RCC.

Chair Thomas recommended that the Chair and Vice-Chair receive Planning Commission and DRC agendas so it can be forwarded on to the designated point person. Ms. Pongseggi indicated that she would take care of that.

Commissioner Bensoussan thought that the RCC should have a general item on the next agenda to vote on some kind of procedure whereby when and if those occasions when the RCC makes these recommendations that they, at that time, decide on who will be the point person for those various types of issues and make it kind of a blanket thing.

**ADJOURNMENT:** Chair Thomas adjourned the meeting at 6:56 p.m. to a regular meeting on Monday, August 16, 2004, at 6:00 p.m. in the Ken Lee Building Conference Room, 430 "F" Street, Chula Vista, CA 91910.

Prepared by:

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Linda Bond, Recording Secretary

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